

REMARKS/ARGUMENTS

This communication is in response to the Office Action dated August 26, 2005. Claims 1, 3, 4, 7-10, 12, 13, 16-19, 21, 22 and 27 are pending in the application. Claims 1, 7-10, 16-19 and 25-27 have been amended. Reconsideration and allowance in view of the following remarks is respectfully requested.

A. Rejection under 35 U.S.C. §112

In the Office Action issued August 26, 2005, claims 1, 3, 4, 7-10, 12, 13, 16-19, 21, 22 and 27 were rejected under 35 U.S.C. §112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Applicants have amended the claims to address the indefiniteness issues identified by the Examiner. Accordingly, the Applicants believe that the rejection has been overcome and request withdrawal of the rejection.

B. Rejection under U.S.C. §101

In the Office Action issued August 26, 2005, claims 1, 3, 4, 7-9 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. The claims have been amended to recite that the method is computer implemented.

Accordingly, the Applicants believe that the rejection has been overcome and request withdrawal of the rejection.

C. Rejection under U.S.C. §103

Claims 1, 3, 4, 10, 12, 13, 19, 21 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pitkow, U.S. Published Application No. 2002/0016786 (Pitkow) in view of U.S. Patent No. 6,363,377 to Kravets (Kravets) and further in view of U.S. Patent No. 5,692,107 to Simoudis (Simoudis).

The Applicant respectfully submits that the present invention according to claims 1, 3, 4, 10, 12, 13, 19, 21 and 22 is not obvious over Pitkow in view of Kravets and Simoudis because the combination of Pitkow, Kravets and Simoudis does not disclose all of the requirements of the present invention.

Pitkow discloses a search and recommendation system that employs the preferences and profiles of individual users and groups within a community of users, as well as information derived from categorically organized content pointers, to augment Internet searches, re-rank search results, and provide recommendations for objects based on an initial subject-matter query.

Pitkow discloses generating recommendations based on bookmarks stored by the user, and in particular using subject, context, and relevance feedback and the popularity, frequency of use, and recency of use of the bookmarks. In particular, Pitkow discloses generating recommendations using the data in a

bookmark database (See [0050]). By contrast, the present invention, for example, according to claim 1, requires a recommendation database generated by performing the steps of performing data mining using users search query logs, user search patterns, and user profile information to generate a plurality of recommendations relating to search query strings based on the users search query logs, user search patterns, and user profile information, generating a data structure including the recommendations relating to search query strings, and generating a text index based on information in the data structure. The database disclosed by Pitkow does not disclose or suggest a database that stores recommendations generated as recited. Pitkow only discloses a database that stores bookmarks that have been created by users of the system. Although Pitkow discloses performing a number of data access operations on the bookmarks, the database itself is just a bookmark database, not a recommendation database, as required by the present invention. In addition, Pitkow fails to teach or suggest validating generated recommendations prior to including them in an index.

Kravets fails to cure the deficiencies of Pitkow. Kravets discloses a tool to be used with a search engine for an information management system includes methods for refining, filtering, and organizing search queries and search results. Kravets discloses a database that tracks a student's navigation of pages related to a course that a student is taking. When the student submits a query that is to be limited to particular pages that the student visited during a particular period, the

database generates a dynamic set of URLs which represents the pages the student visited during that period. (See Col. 9, lines 4-15) Kravets does not disclose or suggest a recommendation database that is generated as required by the present invention, for example, according to claim 1. In addition, Kravets fails to teach or suggest validating generated recommendations prior to including them in an index.

Simoudis does not cure the deficiencies of Pitkow and Kravets. Simoudis merely teaches a data mining system and method used to generate predictive models and storing the predictive models. Simoudis fails to teach or suggest validating generated recommendations prior to including them in an index. Thus, the combination of Pitkow, Kravets and Simoudis still fails to disclose the present invention according to claims 1, 10 and 19.

Claims 1, 3, 4, 10, 12, 13, 19, 21 and 22 depend from claims 1, 10, and 19 respectively. Accordingly, claims 1, 3, 4, 10, 12, 13, 19, 21 and 22 are not unpatentable over the combination of Pitkow, Kravets and Simoudis for at least the same reasons discussed above with respect to claim 1, 10 and 19.

The Applicant respectfully submits that the present invention according to claims 7-9, 16-18, and 25-27 are not unpatentable over Pitkow in view of Kravets, further in view of Soimoudis and further in view of Hofmann because the combination of Pitkow, Kravets, Simoudis and Hofmann does not disclose all of the requirements of the present invention.

Hofmann discloses a system that implements a method for personalized filtering of information and automated generation of user-specific recommendations. However, Hofmann does not disclose or suggest a recommendation fails to teach or suggest validating generated recommendations prior to including them in an index. Thus, the combination of Pitkow, Kravets, Simoudis and Hofmann still fails to disclose the present invention according to claims 1, 10 and 19.

Claims 7-9, 16-18, and 25-27 depend from claims 1, 10, and 19 respectively. Accordingly, claims 7-9, 16-18, and 25-27 are not unpatentable over the combination of Pitkow, Kravets, Simoudis and Hofmann for at least the same reasons discussed above with respect to claim 1, 10 and 19.

D. Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to

Deposit Account No. 19-5127 (19111.0051). Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,
Chadwick A. Jackson
Reg. No. 46,495

Dated: October 13, 2005

Swidler Berlin LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500